

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

KRISTEN WOLFENBARGER,  
on behalf of,  
MICHAEL W. WOLFENBARGER

Plaintiff,

v.

ANDREW M. SAUL,<sup>1</sup>  
Acting Commissioner of Social Security,

Defendant.

No. 3:18-CV-326-HBG

**ORDER**

This case is before the undersigned pursuant to 28 U.S.C. § 636(b) and the Rules of this Court. Now before the Court is Defendant's Motion to Stay [Doc. 17] filed on December 28, 2018. Defendant requested a stay in light of the lapse of appropriations to the Department of Justice, to which Plaintiff's counsel did not object. As appropriations have been restored, Defendant's motion [Doc. 17] is **DENIED AS MOOT**. The Commissioner subsequently filed her Motion for Summary Judgment [Doc. 18] on March 9, 2019. Accordingly, the Commissioner's Motion for Summary Judgment is considered timely-filed.

**IT IS SO ORDERED.**

ENTER:

  
United States Magistrate Judge

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<sup>1</sup> Andrew M. Saul was sworn in as the Commissioner of Social Security on June 17, 2019, during the pendency of this case. Therefore, pursuant to Federal Rule of Civil Procedure 25(d), Andrew M. Saul is substituted as the Defendant in this case.